Applicant : Frank Addante   Attorney Docket No.: 16113-1347001 / GP-1700-09-US
Serial No. : 09/757,389
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Page   : 5 of 7

REMARKS

Claims 13-24, 26, and 27 are pending, with claim 13 being independent. Claims 1-12 and 25 were previously cancelled. Claim 13 has been amended and claim 27 has been added. Support for the amendment is found, for example, in paragraph 0013. No new matter has been introduced.

Rejection under 35 U.S.C. §103(a)

Claims 13-24 and 26 have been rejected as being unpatentable over United States Patent No. 5,933,811 ("Angles") in view of United States Patent No. 6,173,322 ("Hu"). Reconsideration and withdrawal of the rejection is requested because neither Angles, Hu, nor any proper combination of the two describes or suggests at least "wherein the redirect command includes information descriptive of the location that the user computer was browsing on the content server," as recited by amended claim 13.

Amended claim 13 recites that the system include a content server and a direct connect server. The content server is "coupled to the network separately from the creative selection server, that issues at least one redirect command to a user computer in response to receiving a user request for non-advertising content ... wherein the redirect command includes information descriptive of the location that the user computer was browsing on the content server." The direct connect server "receives creative selection criteria from the user computer," and in response to a "user request to receive non-advertising content" and "at least one redirect command from the content server," "generates a request for a creative message, the request including the information descriptive of the location that the user computer was browsing on the content server; transmits the request for the creative message to the creative selection server; receives an identification of one or more creatives from the creative selection server; and sends the identification of one of more creatives to the user computer."

In contrast, Angles merely states that the advertisement provider 18 sends a customized advertisement to the consumer 12 based on the consumer's profile (steps 308 and 310, Fig. 3; col. 8, lines 52-61). In describing how creatives are generated, the Final Office action references steps 310 in Fig. 3, step F in Fig. 4, and Figs. 1 and 2 as describing the generation of creatives for

the user computer. See page 3. However, as noted above, Angles instead indicates that a customized advertisement is sent by the advertisement computer 18 based on the previously generated profile that was created during the registration process. In describing how an advertisement is selected, Angles notes that the advertisement code accesses a member code that is stored on the member computer. See Col. 8, ll. 45-55. Accordingly, Angles use of member codes cannot be considered to describe or suggest, "wherein the redirect command includes information descriptive of the location that the user computer was browsing on the content server," as required by amended independent claim 13.

Likewise, Hu fails to describe or suggest that the redirect command includes information descriptive of the location that the user computer was browsing on the content server as recited by amended independent claim 13. In fact, Hu is unrelated to the creative content selection and distribution system of claim 13, and instead relates to distribution of processing operations among multiple servers according to processing capacity (*see* abstract of Hu, for example). The Final Office Action cited the network request manager of Hu as "provid[ing] information to one of many content servers which are also directly connected to the Internet" and "provid[ing] the content to the user." Hu fails, however, to disclose or suggest that the network request manager of Hu sends a "redirect command [that] includes information descriptive of the location that the user computer was browsing on the content server." Specifically, Hu discusses only a request for content and a response thereto, and does not disclose a redirect command that includes information descriptive of the location that the user computer was browsing on the content server and then generating a request for a creative message as a function of the creative selection criteria, the request including the information descriptive of the location that the user computer was browsing on the content server. Thus, Hu does not remedy the failure of Angles regarding the content server and the direct connect server and the features thereof recited by amended independent claim 13.

Accordingly, for the foregoing reasons, withdrawal of the rejection of claim 13 is requested. The rejection of each of dependent claims 14-24 and 26 should be withdrawn for at least the reasons set forth with respect to amended claim 13.

Applicant submits that all claims are in condition for allowance. No fee is due in connection with the filing of this paper. However, authorization is given to apply any necessary charges or any credits to deposit account 06-1050.

Respectfully submitted,

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